

September 2, 2021

The City Council of the City of Murfreesboro, Rutherford County, Tennessee, met in regular session at its regular meeting place in the Council Chambers at City Hall at 6:00 p.m. on Thursday, September 2, 2021, with Mayor Shane McFarland present and presiding and with the following Council Members present and in attendance, to wit:

Madelyn Scales Harris
Rick LaLance
Ronnie Martin
Bill Shacklett
Kirt Wade
Shawn Wright

The following representatives of the City were also present:

Craig Tindall, City Manager
Adam Tucker, City Attorney
Jennifer Brown, City Recorder/
Finance Director
Darren Gore, Assistant City Manager
Mark Foulks, Chief of Fire Rescue
Michael Bowen, Chief of Police
Michelle Emerson, City Engineer
Trey Duke, City Schools Director
Jim Kerr, Transportation Director
Kim Williams, City Schools Finance Director
Trey Adams, Golf Director
Kane Adams, Assistant Street Director
Matthew Blomeley, Assistant Planning Director
Joshua Miller, Administrative Assistant

Council Member Rick LaLance commenced the meeting with a prayer followed by the Pledge of Allegiance.

Mayor McFarland thanked the CityTV staff for their assistance in a briefing the Mayor had regarding the Covid-19 Pandemic and changes to the airport.

Mayor McFarland also addressed the passing of Mr. Edward Samuel "Sonny" Elam, Jr., a former Rutherford County Clerk and expressed his condolences to the family.

The Consent Agenda was presented to the Council for approval:

1. Hangar 1 Construction Change Order #2 (Airport)
2. Community Investment Program Funds Transfer (Finance)
3. MOU with Motlow State Community College for Fire Rescue Department Training (Fire Rescue)
4. Purchase ZOLL Cardiac Monitors and AED Machines (Fire Rescue)
5. Miracle Recreation Agreement for Play Structures (Parks & Recreation)
6. Contract Extension with Columbia Chrysler for Vehicle Equipment Installation (Police)
7. Contract Extensions with On-Duty Depot and Dana Safety Supply for Police Vehicle Equipment (Police)
8. Asphalt and Concrete Purchase Report (Street)
9. Banner Request to Hang Across East Main Street for A Lively evening on Main Rutherford County Library System to be displayed April 28-May 7, 2022 (Street)
10. Asphalt Purchases Report (Water Resources)

11. Sanitary Sewer Rehabilitation 2020-2021 Final Change Order #2 (Water Resources)
12. Donation of Easements to Middle Tennessee Electric (Transportation)
(Insert letters from Airport, Finance, Fire Rescue (2), Parks & Recreation, Police (2), Street (2), Water Resources (2) & Transportation Departments here.)

Mr. LaLance made a motion to approve the Consent Agenda. Mr. Wright seconded the motion and all members of the Council voted "Aye".

The following letter from the City Recorder/Finance Director was presented to the Council:

(Insert letter dated September 2, 2021 here with regards to approval of Minutes of City Council Meeting.)

Mr. LaLance made a motion to approve the minutes as written and presented for the regular meeting held on August 11, 2021. Mr. Wade seconded the motion and all members of the Council voted "Aye".

The following letter from the City Schools Finance Director was presented to the Council:

(Insert letter dated September 2, 2021 here with regards to Fiscal Year 2022 City Schools Budget Amendment #2.)

The following RESOLUTION 21-R-31 was read to the Council and offered for adoption upon motion made by Mr. Shacklett, seconded by Vice-Mayor Scales Harris. Upon roll call said resolution was adopted by the following vote:

Aye: Madelyn Scales Harris
Rick LaLance
Ronnie Martin
Bill Shacklett
Kirt Wade
Shawn Wright
Shane McFarland

Nay: None

(Insert RESOLUTION 21-R-31 here amending the 2021-2022 Murfreesboro City Schools Budget (2nd Amendment).)

The following letter from the Assistant Planning Director was presented to the Council:

(Insert letter dated September 2, 2021 here with regards to rezoning approximately 4.6 acres located at the northwest corner of West Northfield Boulevard and Sulphur Springs Road [2021-412].)

Mayor McFarland announced that the next item on the agenda is to conduct a public hearing, pursuant to RESOLUTION 21-R-PH-20.1 adopted by the City Council on July 29, 2021, to consider rezoning approximately 4.6 acres located along West Northfield Boulevard and Sulphur Springs Road from Single-Family Residential Ten (RS-10) District to Planned Commercial Development (PCD) District (Sanders Corner PCD); P&H Joint Venture,

applicant [2021-412]. Notice of said public hearing was published in the August 17, 2021 issue of the local newspaper as follows:

(Insert notice here)

Mr. Matthew Blomeley, Assistant Planning Director, presented the recommendation of the Planning Commission to approve the rezoning, subject to the developer installing speed cushions on the extension of Oakhaven Drive as long as the speed cushions receive approval by the appropriate City officials, and introduced Mr. Matt Taylor, SEC, Inc., who gave a brief presentation on the proposed plans for the development.

Mayor McFarland then declared the public hearing open and invited those present who wished to speak for or against the proposed rezoning of approximately 4.6 acres located along West Northfield Boulevard and Sulphur Springs Road from Single-Family Residential Ten (RS-10) District to Planned Commercial Development (PCD) District step forward to the podium.

Mr. Johnnie Knox, 2207 Oakhaven Drive, opposed any development that led to the extension of Oakhaven Drive, he stated that the neighborhood offers safety to the residents now, that the safety will be lost, and that Oakhaven Drive should have been extended when the neighborhood was originally built, not now.

Ms. Anette Thomason, 807 Trinity Drive, opposed any development that led to the extension of Oakhaven Drive, asked that check cashing businesses be disallowed, and that if a liquor store is built on the development that it be a high-end store.

Mr. Chris Hollandsworth, 2202 Oakhaven Drive, opposed the rezoning stating that the development would cause traffic issues and that if a liquor store was disallowed across the street, why was it ok to have one on this side.

Mr. Randy Johnson, 615 Elliot Drive, opposed the rezoning stating that it is not consistent with the 2035 Plan and that the area is residential and needs to stay that way.

Mr. Robert Lewis, 314 Kingwood Drive, opposed the rezoning stating that it does not follow the 2035 Plan and that this residential area does not need stores located this close.

There was no one else present to speak for or against the proposed rezoning and, after ample time had been given, Mayor McFarland declared the public hearing closed.

Council discussed with staff and the developer the concerns of the residents and determined that the developer would change the hours of operation for the businesses from 6:00 a.m. to 11:00 p.m. to 5:00 a.m. to 11:00 p.m., abandon the plans for the connection of Oakhaven Drive to Sulphur Springs Road, and have an updated landscaping site plan by second reading.

An ordinance, entitled "ORDINANCE 21-OZ-20 amending the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as heretofore amended and as now in force and effect, to rezone approximately 4.6 acres located along West Northfield Boulevard and Sulphur Springs Road from Single-Family Residential Ten (RS-10) District to Planned Commercial Development (PCD) District (Sanders Corner PCD); P&H Joint Venture, applicant [2021-412]," was read to the Council and offered for passage on first reading as amended to include changing the hours of operation for the businesses from 6:00 a.m. to 11:00 p.m. to 5:00 a.m. to 11:00 p.m., abandoning the plans for the connection of Oakhaven Drive to Sulphur Springs Road, and having an updated landscaping site plan by second reading upon motion made by Mr. Wade, seconded by Mr. Martin. Upon roll call said ordinance was passed on first reading by the following vote:

Aye: Madelyn Scales Harris
Ronnie Martin
Kirt Wade
Shawn Wright
Bill Shacklett
Shane McFarland

Nay: Rick LaLance

The following letter from the Assistant Planning Director was presented to the Council:

(Insert letter dated September 2, 2021 here with regards to rezoning approximately 5.4 acres located along the west side of New Salem Highway and along the south side of Bridge Avenue [2021-413].)

Mayor McFarland announced that the next item on the agenda is to conduct a public hearing, pursuant to RESOLUTION 21-R-PH-27 adopted by the City Council on July 29, 2021, to consider rezoning approximately 5.4 acres located along Bridge Avenue and New Salem Highway from Single-Family Residential Ten (RS-10) District to Planned Institutional Development (PND) District (Transit Center PND); City of Murfreesboro, applicant(s) [2021-413]. Notice of said public hearing was published in the August 17, 2021 issue of the local newspaper as follows:

(Insert notice here)

Mr. Matthew Blomeley, Assistant Planning Director, presented the recommendation of the Planning Commission to approve the rezoning and introduced Mr. Matt Taylor, SEC, Inc., who gave a brief presentation on the proposed plans for the development.

Mayor McFarland then declared the public hearing open and invited those present who wished to speak for or against the proposed rezoning of approximately 5.4 acres located along Bridge Avenue and New Salem Highway from Single-Family Residential Ten

(RS-10) District to Planned Institutional Development (PND) District step forward to the podium.

Mr. Richard Baines, 1319 Parkview Terrace, opposed the rezoning stating that the City needs to determine what TDOT’s expansion plan for New Salem Highway is and how that could affect the turn lanes of this development.

There was no one else present to speak for or against the proposed rezoning and, after ample time had been given, Mayor McFarland declared the public hearing closed.

At the direction of Council, Mr. Jim Kerr, Transportation Director, gave a description of TDOT’s plans for the widening of New Salem Highway and how the widening should not affect the turn lanes of this development.

An ordinance, entitled “ORDINANCE 21-OZ-27 amending the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as heretofore amended and as now in force and effect, to rezone approximately 5.4 acres located along Bridge Avenue and New Salem Highway from Single-Family Residential Ten (RS-10) to Planned Institutional Development (PND) (Transit Center PND); City of Murfreesboro, applicant [2021-413],” was read to the Council and offered for passage on first reading upon motion made by Mr. LaLance, seconded by Mr. Wright. Upon roll call said ordinance was passed on first reading by the following vote:

Aye: Madelyn Scales Harris
Rick LaLance
Ronnie Martin
Kirt Wade
Shawn Wright
Bill Shacklett
Shane McFarland

Nay: None

The following letter from the Assistant Planning Director was presented to the Council:

(Insert letter dated September 2, 2021 here with regards to sewer allocation variance – Parkwood Court Duplex Lots.)

Mr. Matthew Blomeley, Assistant Planning Director, presented the request to approve Parkwood Court’s request for additional density above the sewer allocation ordinance’s zoning allowance. He stated that the proposed duplex development will increase the number of units to 2 on each lot, that the current approved capacity allows for 1 unit per lot and that to proceed with the development, the developer is requesting a variance. Mr. Blomeley recommended approval of the variance based on staff’s belief that the proposed development will generate commercial property tax revenue as well as one-time development fees.

Mr. Shacklett made a motion to approve the proposed variance to allow 2 units on each lot. Mr. LaLance seconded the motion and all members of the Council voted "Aye".

The following letter from the Executive Director of Community Services was presented to the Council:

(Insert letter dated September 2, 2021 here with regards to repairs to Main Street Building.)

Mr. Adam Tucker, City Attorney, presented the request to approve the Construction Contract with Farrer Construction Co., Inc. in the amount of \$55,876 for the repair of City-owned facility at 225 West College Street. Mr. Tucker stated that the building was damaged in a vehicular accident and that it is anticipated that the driver's insurance will reimburse the City's Risk Management Fund.

Vice-Mayor Scales Harris made a motion to approve the Construction Contract with Farrer Construction Co., Inc. in the amount of \$55,876 for the repair of City-owned facility at 225 West College Street. Mr. Wright seconded the motion and Mayor McFarland expressed his concern with only receiving one quote for this repair project and asked if it would be possible to inquire about other bids? Vice-Mayor Scales Harris and Mr. Wright withdrew their motions and Council discussed with staff the options for seeking bids for this repair project.

Mr. Wade made a motion to direct staff to acquire other bids for the repair and return at the next Council meeting with the information and a recommendation. Mr. Wright seconded the motion and all members of the Council voted "Aye".

The following letter from the Chief of Fire Rescue was presented to the Council:

(Insert letter dated September 2, 2021 here with regards to Contract Amendment for Fire Hoses.)

Mr. Mark Foulks, Chief of Fire Rescue, presented the recommendation of the Fire Department to approve the Fire Hoses Contract Amendment #1 with G&W Diesel Services, Inc., to extend the Contract to June 30, 2022 and that any pricing adjustments will be funded by the CIP and the State Direct Allocation Fiscal Year 2021 Grant.

Mr. LaLance made a motion to approve the Fire Hoses Contract Amendment #1 with G&W Diesel Services, Inc., to extend the Contract to June 30, 2022. Mr. Wright seconded the motion and all members of the Council voted "Aye".

The following letter from the Golf Director was presented to the Council:

(Insert letter dated September 2, 2021 here with regards to Golf Department Equipment Purchase.)

Mr. Trey Adams, Golf Director, presented the request of the Golf Department to approve the Purchase Contract with Smith Turf & Irrigation, LLC in the amount of \$153,325,

funded by the CIP for the purchase of one Toro Fairway Mower and two Toro Greens Mowers.

Mr. Wade made a motion to approve the Purchase Contract with Smith Turf & Irrigation, LLC in the amount of \$153,325, funded by the CIP for the purchase of one Toro Fairway Mower and two Toro Greens Mowers. Mr. LaLance seconded the motion and all members of the Council voted "Aye".

The following letter from the Chief of Police was presented to the Council:

(Insert letter dated September 2, 2021 here with regards to Purchase of Body Armor.)

Mr. Michael Bowen, Chief of Police, presented the recommendation of the Police Department to approve the Purchase Agreement with Galls, LLC in the amount of \$103,936, funded by the Fiscal Year 2022 State Direct Allocation Grant, for the purchase of replacements for expiring body armor and 50 external carriers.

Mr. Wright made a motion to approve the Purchase Agreement with Galls, LLC in the amount of \$103,936, funded by the Fiscal Year 2022 State Direct Allocation Grant, for the purchase of replacements for expiring body armor and 50 external carriers. Mr. Martin seconded the motion and all members of the Council voted "Aye".

The following letter from the Executive Director of Public Works was presented to the Council:

(Insert letter dated September 2, 2021 here with regards to Street Department Vehicle and Equipment Purchase.)

Mr. Kane Adams, Assistant Street Director, presented the request of the Street Department to approve the Purchase Contracts with Cumberland International Trucks, Inc. and Viking-Cives Midwest, Inc. in the amount of \$419,257, funded by the CIP, for the purchase of two 5500 International Diesel Trucks; one International Rear-Mounted Knuckle Boom Truck; five Viking Super Duty Snowplows; two VBX-9000 Spreaders; one Viking Medium Duty Dump Body Truck; one Viking Skirted Flatbed Body Truck; one Viking 4.5 Cubic Yard Electric Spreader and one Viking 10' Galvanized Steel Spreader Stand.

Mr. LaLance made a motion to approve the Purchase Contract with Smith Turf & Irrigation, LLC in the amount of \$153,325, funded by the CIP for the purchase of one Toro Fairway Mower and two Toro Greens Mowers. Mr. Wade seconded the motion and all members of the Council voted "Aye".

The following letter from the Assistant City Manager was presented to the Council:

(Insert letter dated September 2, 2021 here with regards to West Fork Stones River Bioassessment.)

Mr. Darren Gore, Assistant City Manager, presented the request of the Water Resources Department to approve Amendment No. 8 to SSR Task Order 09-47-001.2 to allow for continued biological sampling of the West and East Fork Stones River and the proposal with AquAeTer, Inc. for a Stratification Study of J. Percy Priest Reservoir for \$127,240, funded from the Department's Working Capital Reserves.

Mr. Wade made a motion to approve Amendment No. 8 to SSR Task Order 09-47-001.2 to allow for continued biological sampling of the West and East Fork Stones River and the proposal with AquAeTer, Inc. for a Stratification Study of J. Percy Priest Reservoir for \$127,240, funded from the Department's Working Capital Reserves. Mr. Martin seconded the motion and all members of the Council voted "Aye".

The following letter from the Assistant City Manager was presented to the Council:

(Insert letter dated September 2, 2021 here with regards to High Service Pump Station and Membrane Feed Pump Improvements Bid Award.)

Mr. Darren Gore, Assistant City Manager, presented the request of the Water Resources Department to award the bid for the High Service Pump Station and Membrane Feed Improvements Project for the Stones River Water Treatment Plant to the Sole bidder, J. Cumby Construction Company, Inc., in the amount of \$2,013,000, funded by the Department's Fiscal Year 2022 CIP.

Mr. LaLance made a motion to award the bid for the High Service Pump Station and Membrane Feed Improvements Project for the Stones River Water Treatment Plant to the Sole bidder, J. Cumby Construction Company, Inc., in the amount of \$2,013,000, funded by the Department's Fiscal Year 2022 CIP. Vice-Mayor Scales Harris seconded the motion and all members of the Council voted "Aye".

The following letter from the Assistant City Manager was presented to the Council:

(Insert letter dated September 2, 2021 here with regards to Pall Membrane Module Replacement.)

Mr. Darren Gore, Assistant City Manager, presented the request of the Water Resources Department to approve the purchase of 540 membrane modules from Pall Corporation in the amount of \$771,730 funded by the Department's Working Capital Reserves Sinking Fund.

Mr. Martin made a motion to approve the purchase of 540 membrane modules from Pall Corporation in the amount of \$771,730 funded by the Department's Working Capital Reserves Sinking Fund. Mr. Shacklett seconded the motion and all members of the Council voted "Aye".

The following letter from the City Recorder/Finance Director was presented to the Council:

(Insert letter dated September 2, 2021 here with regards to Beer Permit Application for Hank's, 2333 Memorial Boulevard.)

Mr. Wade made a motion to approve the Beer Permit for Hank's, 2333 Memorial Boulevard (New Location). Mr. Wright seconded the motion and all members of the Council voted "Aye".

The City Recorder/Finance Director announced that there were no statements nor any board and commission appointments to consider.

There being no further business, Mayor McFarland adjourned this meeting at 7:37 p.m.

ATTEST:

SHANE MCFARLAND – MAYOR

JENNIFER BROWN - CITY RECORDER